

FOR OFFICE USE ONLY:

Version # _____

APP # 700043

1. Project Description

A. Statement of Procurement Activity

This Project consists of CEQA activities to evaluate acquisition of buffer-land and construction activities related to relocation of area-wide storm drainage retention for the purposes of enhancing the Porterville OHV Park. Lands to be acquired in fee-title are located to the west of the OHV Park, across the public roadway. A CEQA Initial Study and subsequent document will be prepared as a part of the activities conducted with this project. With completion of the CEQA process the lands will be appraised, property acquisition negotiations will be conducted, and environmental assessment will be performed. Once the parcels are acquired, the process of annexing the land into the corporate limits of Porterville will be conducted through Tulare County LAFCO.

The acquisition of the two parcels of land will better ensure land-use control for purposes of buffering the OHV related activities from the potential development of sensitive receptors. The acquired buffer-lands will be utilized for continued agricultural as well as general municipal government purposes, such as the creation of a drainage basin to redirect storm flows which currently inundate the OHV Park on a seasonal basis.

There are currently citrus groves on the land located directly across the public roadway from the OHV Park. The land has been divided into 20 acre parcels. These are the only parcels under private ownership adjoining the OHV Park (albeit separated by a roadway). The City wishes to acquire the private lands adjoining the OHV Park in order to enhance the separation between OHV recreational activities and any possible home construction. Because there are beneficial governmental purposes for use of approximately 40 acres of these adjoining lands the fee-title acquisition to this acreage is desirable. Other parcels under private ownership and generally within one-half mile of the OHV Park will be identified for future consideration of development-right acquisition to ensure that their agricultural nature, without home-sites, is preserved. The initial effort will be to acquire two 20-acre parcels upon which the area-wide storm runoff can be directed in order to relieve the OHV Park from providing that seasonal role. In subsequent efforts it is desired to obtain development-rights on up to 200-acres of additional private lands to accomplish a one-half mile buffer from the OHV Park.

There are no identified special-status species or sensitive habitats located within the legal OHV recreation area, and this area will not be expanded by this Project.

B. Relation of Proposed Project to OHV Recreation

Through City ownership of adjacent lands the potential development of housing will be eliminated and therefore possible conflicts with ongoing OHV recreation activities will be reduced. The current OHV Park was constructed upon public land originally designated for storm drainage retention as a compatible joint-use of the land. Utilizing the newly acquired land for storm drainage retention will provide for expanding the OHV riding opportunities during winter periods which historically have been restricted due to impounded drainage within the active riding area. Relocating the drainage retention purpose of the current OHV Park is the preferred method to minimize the shared-use arrangement. A new drainage facility to the west of the OHV Park would provide a public use buffer to better protect the OHV recreational investment.

Even though the land to be acquired is zoned for agricultural use by the County of Tulare, present land use regulations provide the ability of erecting primary and secondary residential units on agricultural parcels down to 20 acres in size. It is possible that some of the landowners may choose to construct a few homes, perhaps for themselves and/or family members on these lands. Each of the 20-acre parcels proposed for acquisition could have a home plus a secondary family residential unit erected, resulting in up to 4 houses directly across the street from the OHV Park.

Since there are currently a limited number of privately owned parcels within one-half mile of the OHV Park it is desirable to begin a process to protect the public investment that has been made in the facility. Acquiring some parcels that can be utilized to enhance the OHV Park and acquiring development-rights to other parcels will protect against home construction, providing a buffer around the OHV Park.

C. Identification of Needs Addressed

It is possible that a limited number of new homes could be constructed on the agricultural lands to the west of the

Porterville OHV Park. Absent further land division up to 4 residential units could be constructed directly across the public roadway from the OHV Park. New homes constructed generally within the one-half mile vicinity could present conflicts with OHV recreational related noise and traffic, or present the potential for other sensitivities to the peaceful enjoyment of home sites. This Project will initially eliminate the possibility of this type of land-use conflict on 40-acres of land west of the OHV Park. This will extend a public property buffer beyond the current OHV Park site.

The Porterville OHV Park currently serves a dual purpose as both an OHV recreational opportunity and as an area-wide storm runoff retention facility. Up-gradient (easterly & southerly from the OHV Park) development will increase the amount of storm runoff directed to the OHV Park. This Project will provide land upon which a replacement storm water retention facility can be constructed so that the storm waters can be redirected away from the active OHV recreational area. Initially, this will extend the OHV opportunities during the rain season by approximately 15 days. Additionally, this Project provides the ability to eliminate the impact on the OHV Park of increased storm flows resulting from planned up-gradient development, thereby avoiding the loss of additional OHV opportunities.

D. Location of the Land to be Acquired

The land to be acquired in fee-title is located west of the OHV Park with frontage along the opposite side of West Road (Road 220). One parcel is identified as Lot 28 of Porterville Fruit & Farms Tract, and being a portion of County Assessors Parcel Number 302-011-001. The second parcel is identified as Lot 5 of Porterville Fruit & Farms Tract, and is County Assessors Parcel Number 302-011-010.

E. Total Acreage to be Acquired

It is proposed that approximately 40.3 acres of land will be acquired in fee-title.

F. Easements Affecting the Property

No easements are known to be present on the land proposed for fee-title acquisition as none are shown on the most recent Record of Survey map or indicated within the preliminary title reports.

G. Number of Parcels

Two parcels are proposed to be acquired in fee-title.

H. Location(s) of Existing OHV Opportunities

The Porterville OHV Park is located to the east of the lands to be acquired, along the opposite side of West Road (Road 220). Preservation of OHV recreational opportunities will be enhanced by relocating drainage flows and through control of the potential for housing development within close proximity to the OHV Park. The Project will also extend the public property buffer-zone beyond the OHV Park to protect the public agency investment in the OHV recreation facility.

I. Estimated Cost of Land to be Acquired

Land cost is estimated at \$12,000 per acre for the existing citrus grove. This cost estimate is based upon communications with a certified appraiser presently engaged in the valuation of other citrus grove land that the City of Porterville is preparing to acquire for a roadway construction project. The total cost of land is estimated at \$483,600.

J. Status of Due Diligence

Cost estimates have been obtained from on-call consultants for preparation of CEQA documentation, appraisal of land, phase one environmental assessment, and negotiations of the land acquisitions. Preliminary title reports have been ordered. Staff time has been estimated for the CEQA process, land acquisition, and annexation activities.

2. Acquisition Plan

A. Acquisition Timeline

Attachments:

[Acquisition & Development Timeline](#)

B. Ability to Accomplish Acquisition

The City of Porterville regularly acquires real property for governmental purposes. City staff have familiarity with the processes, and the Council has authorized on-call consultants for specialty project assistance, including CEQA compliance and land acquisition. The CEQA process for this project will be lead by one such consultant with City Planning Department staff support and coordination. The land appraisal efforts will be conducted by a on-call certified appraiser, and the land negotiations undertaken by a separate on-call consultant. City staff will coordinate these actions.

C. Due Diligence Undertaken

Preliminary title reports have been ordered, staff time has been estimated, consultant cost has been estimated, and confirmation with on-call consultants on their potential availability for engagement with this project have been obtained.

Additional Documentation for Grants and Cooperative Agreements Program - 2008/2009 6/2/2009
Agency: City of Porterville Parks and Leisure Services
Application: Acquisition

FOR OFFICE USE ONLY:

Version # _____

APP # 700043

1. Project-Specific Maps

Attachments:

[Record of Survey of subject lands](#)

2. Assessors Parcel Maps

Attachments:

[Tulare County Assessors Map Page 302-11](#)

3. Optional Project-Specific Application Documents

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009
 Agency: City of Porterville Parks and Leisure Services
 Application: Acquisition

6/2/2009

FOR OFFICE USE ONLY:		Version # _____	APP # _____
APPLICANT NAME :	City of Porterville Parks and Leisure Services		
PROJECT TITLE :	Acquisition	PROJECT NUMBER (Division use only) :	
PROJECT TYPE :	<input checked="" type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Education & Safety <input type="checkbox"/> Ground Operations <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Planning <input type="checkbox"/> Restoration		
PROJECT DESCRIPTION :	<p>This Project consists of CEQA activities to evaluate acquisition of buffer-land and construction activities related to relocation of area-wide storm drainage retention for the purposes of enhancing the Porterville OHV Park. Lands to be acquired in fee-title are located to the west of the OHV Park, across the public roadway. A CEQA Initial Study and subsequent document will be prepared as a part of the activities conducted with this project. With completion of the CEQA process the lands will be appraised, property acquisition negotiations will be conducted, and environmental assessment will be performed. Once the parcels are acquired, the process of annexing the land into the corporate limits of Porterville will be conducted through Tulare County LAFCO. The acquisition of the two parcels of land will better ensure land-use control for purposes of buffering the OHV related activities from the potential development of sensitive receptors. The acquired buffer-lands will be utilized for continued agricultural as well as general municipal government purposes, such as the creation of a drainage basin to redirect storm flows which currently inundate the OHV Park on a seasonal basis.</p> <p>There are currently citrus groves on the land located directly across the public roadway from the OHV Park. The land has been divided into 20 acre parcels. These are the only parcels under private ownership adjoining the OHV Park (albeit separated by a roadway). The City wishes to acquire the private lands adjoining the OHV Park in order to enhance the separation between OHV recreational activities and any possible home construction. Because there are beneficial governmental purposes for use of approximately 40 acres of these adjoining lands the fee-title acquisition to this acreage is desirable. Other parcels under private ownership and generally within one-half mile of the OHV Park will be identified for future consideration of development-right acquisition to ensure that their agricultural nature, without home-sites, is preserved. The initial effort will be to acquire two 20-acre parcels upon which the area-wide storm runoff can be directed in order to relieve the OHV Park from providing that seasonal role. In subsequent efforts it is desired to obtain development-rights on up to 200-acres of additional private lands to accomplish a one-half mile buffer from the OHV Park.</p> <p>There are no identified special-status species or sensitive habitats located within the legal OHV recreation area, and this area will not be expanded by this Project.</p>		

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
DIRECT EXPENSES							
Program Expenses							
1	Staff						
	Other-LAFCO - Assist. Planner	10.000	44.000	HRS	0.00	440.00	440.00
	Other-CEQA - City Planner	10.000	62.000	HRS	0.00	620.00	620.00
	Other-LAFCO - City Planner	6.000	62.000	HRS	0.00	372.00	372.00
	Total for Staff				0.00	1,432.00	1,432.00
2	Contracts						

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009
Agency: City of Porterville Parks and Leisure Services
Application: Acquisition

6/2/2009

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
	Other-Appraisal Contract	2.000	1000.000	EA	2,000.00	0.00	2,000.00
	Other-Negotiation Contract	2.000	4000.000	EA	8,000.00	0.00	8,000.00
	Other-CEQA Preparation	1.000	25000.000	EA	20,000.00	5,000.00	25,000.00
	Other-Phase 1 Enviro. Asmt.	1.000	7500.000	EA	6,000.00	1,500.00	7,500.00
	Total for Contracts				36,000.00	6,500.00	42,500.00
3	Materials / Supplies						
4	Equipment Use Expenses						
5	Equipment Purchases						
6	Others						
	Other-Land Purchase (acres)	40.300	12000.000	EA	376,500.00	107,100.00	483,600.00
	Other-CEQA - State & County Fees	1.000	2000.000	EA	2,000.00	0.00	2,000.00
	Other-Annexation - State & LAFCO Fees	1.000	5500.000		5,500.00	0.00	5,500.00
	Total for Others				384,000.00	107,100.00	491,100.00
7	Administrative Costs						
	Administrative Costs-Administrative Cost	3.000	11000.000	YR	0.00	33,000.00	33,000.00
	Total Program Expenses				420,000.00	148,032.00	568,032.00
	TOTAL DIRECT EXPENSES				420,000.00	148,032.00	568,032.00
	TOTAL EXPENDITURES				420,000.00	148,032.00	568,032.00

Project Cost Summary for Grants and Cooperative Agreements Program - 2008/2009
 Agency: City of Porterville Parks and Leisure Services
 Application: Acquisition

6/2/2009

	Line Item	Grant Request	Match	Total	Narrative
DIRECT EXPENSES					
Program Expenses					
1	Staff	0.00	1,432.00	1,432.00	
2	Contracts	36,000.00	6,500.00	42,500.00	
3	Materials / Supplies	0.00	0.00	0.00	
4	Equipment Use Expenses	0.00	0.00	0.00	
5	Equipment Purchases	0.00	0.00	0.00	
6	Others	384,000.00	107,100.00	491,100.00	
7	Administrative Costs	0.00	33,000.00	33,000.00	
Total Program Expenses		420,000.00	148,032.00	568,032.00	
TOTAL DIRECT EXPENSES		420,000.00	148,032.00	568,032.00	
TOTAL EXPENDITURES		420,000.00	148,032.00	568,032.00	

FOR OFFICE USE ONLY:

Version # _____

APP # 700043

ITEM 1 and ITEM 2

ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? ☐ Yes ☒ No
(Please select Yes or No)

ITEM 2

- b. ITEM 2 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? ☒ Yes ☐ No
(Please select Yes or No)
- c. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. (Please select Yes or No) ☐ Yes ☒ No
- d. Other. Explain why proposed activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. DO NOT complete ITEMS 3 – 9

ITEM 3 - Impact of this Project on Wetlands

The Project impacts will be further evaluated during the CEQA process. The Project proposes to acquire existing agricultural lands that are utilized for citrus trees and no wetlands, navigable waters, sensitive habitats or species are within the Project Area.

ITEM 4 - Cumulative Impacts of this Project

The cumulative impacts from this Project, if any, will be further evaluated within the CEQA process. The Project consists of the acquisition of lands for planned public facilities and to provide for continued operation of the OHV recreational facility.

ITEM 5 - Soil Impacts

The lands to be acquired are generally flat and are not highly erodible soils.

ITEM 6 - Damage to Scenic Resources

There are no scenic resources within the Project area and the Project is not viewable from the nearest highway with state scenic highway designation (State Rte. 190) at one mile distant.

ITEM 7 - Hazardous Materials

Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards.

ITEM 8 - Potential for Adverse Impacts to Historical or Cultural Resources

Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the potential impacts and for any substantially adverse changes in the significance of historical or cultural resources and measures to be taken to minimize or avoid the impacts.

ITEM 9 - Indirect Significant Impacts

The Project will have a beneficial effect by providing land to buffer the OHV recreation activities from potential development of sensitive land-use, such as new residential housing. The Project will also have a beneficial impact by providing the ability to relocate drainage from the OHV recreation area, thereby providing for increased use of the legal OHV facility and not forcing users to go elsewhere.

CEQA/NEPA Attachment

FOR OFFICE USE ONLY:

Version # _____

APP # 700043

1. Project Cost Estimate - Q 1. (Auto populates from Cost Estimate)

1. As calculated on the Project Cost Estimate, the percentage of the cost of the Project covered by the Applicant is 3

(Check the one most appropriate) (Please select one from list)

- ☐ 76% or more (10 points)
☐ 51% - 75% (5 points)
☒ 26% - 50% (3 points)
☐ 25% (Match minimum) (No points)

2. Natural and Cultural Resources - Q 2a., 2b., & 2c.

2. Natural and Cultural Resources

- a. Natural and Cultural Resources: Species 3

Enter the number of special-status species that are known to occur in the Project Area

Number of special-status species 1

(Check the one most appropriate) (Please select one from list)

- ☐ No special-status species occur in Project Area (5 points)
☒ One to five special-status species occur in Project area (3 points)
☐ Six to ten special-status species in Project area (2 points)
☐ More than ten special-status species occur in Project area (No points)

b. Habitat

- b. Natural and Cultural Resources: Habitat 3

Potential Effects on special-status species habitat (Check the one most appropriate)

Special-status species habitat is known to occur in the Project Area (if YES, enter number of species) (Please select Yes or No) ☒ Yes ☐ No

Habitat for special-status species known to occur in Project Area (enter number of species) 1

Reference Document

Porterville 2030 General Plan

(Check the one most appropriate) (Please select one from list)

- ☐ No special-status species habitat is known to occur in the Project area (5 points)
☒ Habitat for one to five special-status species is known to occur in Project area (3 points)
☐ Habitat for six to ten special-status species is known to occur in Project area (2 points)
☐ Habitat for more than ten special-status species is known to occur in Project area (No points)

c. Cultural Resources

- c. Cultural Resources 4

(Check the one most appropriate) (Please select one from list)

- ☐ Project would provide additional protection to cultural sites (5 points)
☒ Project area has no known cultural sites (4 points)
☐ Identified cultural sites in the Project area will not be affected (3 points)

- ☐ Project impacts to cultural sites will be mitigated (No points)
- ☐ Project has unavoidable detrimental impacts to cultural resources (No points, Project application will be returned to Applicant without further consideration)

Reference Document

City of Porterville - 2030 General Plan

3. Benefit to OHV Recreation - Q 3.

3. Project will benefit the Applicant's OHV recreation program by 4

(Check all that apply) Scoring: Maximum of 14 points (Please select applicable values)

- ☐ Restore or maintain connectivity of trail system by acquiring linkage/in-holdings (10 points)
- ☒ Providing additional OHV Opportunity (2 points)
- ☐ Expanding the types of vehicles that can use the OHV Opportunity (2 points)
- ☒ Protecting private property and land owners adjacent to the proposed acquisition from high levels of sound, trespass, and property damage (2 points)
- ☐ Resolving conflict related to OHV Recreation (2 points)

Explain each statement that was checked

This Project will provide additional OHV recreational opportunities once the acquired land is utilized for relocation of drainage from the OHV Park. If the OHV Park is inundated by storm runoff significant work must be undertaken and time for the standing water to dissipate must be allowed. The Park remains closed and not available for OHV recreation pending evaporation and percolation of the drainage waters. This Project will therefore provide additional OHV opportunity.

This Project will also protect private property and land owners adjacent to the proposed acquisition from high levels of sound, trespass, and property damage by utilizing the land to separate OHV activity from private lands.

4. Primary Funding Source - Q 4.

4. Primary funding source for future development and operation cost will be 5

(Check the one most appropriate) (Please select one from list)

- ☒ Applicant's operational budget (5 points)
- ☐ Volunteer support and/or donations (3 points)
- ☐ Other Grant funding (2 points)
- ☐ OHV Trust Funds (No points)

If 'Operational budget' is checked, list reference document(s)

City of Porterville Annual Budget

5. Motorized Access - Q 5.

5. The Project improves facilities that provide motorized access to the following nonmotorized recreation opportunities 2

(Check all that apply) Scoring: 2 points each, up to a maximum of 6 points (Please select applicable values)

- | | |
|--|--|
| <input type="checkbox"/> Camping | <input type="checkbox"/> Birding |
| <input type="checkbox"/> Hiking | <input type="checkbox"/> Equestrian trails |
| <input type="checkbox"/> Fishing | <input type="checkbox"/> Rock Climbing |
| <input checked="" type="checkbox"/> Other (Specify) [Sports Complex] | |

6. Public Input - Q 6.

6. The Project was developed with public input employing the following 2

(Check all that apply) Scoring: 1 point each, up to a maximum of 2 points (Please select applicable values)

- ☒ Meeting(s) with the general public to discuss Project (1 point)
- ☐ Conference call(s) with interested parties (1 point)
- ☒ Meeting(s) with stakeholders (1 point)

Explain each statement that was checked

During the calendar year of 2008 the City Council of Porterville conducted several public meetings that discussed possible relocation of many public facilities and the potential for modification of the OHV Park. Direction provided as a result of community input was that the OHV Park needed to be retained and enhanced.

Further meetings were conducted at the OHV Park to directly engage stakeholders for the purposes of keeping them informed of the considerations related to the potential reconfiguration of the OHV Park. Stakeholders were supportive of preserving and enhancing the track capabilities.